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Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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COMMITTEE AGAINST TORTURE
Fourth session
Geneva
23 April-4 May 1990

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Secretary-General

1. The fourth session of the Committee against Torture will be held at the United Nations Office at Geneva from 23 April to 4 May 1990. The first meeting of the session will be convened on Monday, 23 April 1990, at 10 30 a.m.

2. In accordance with rule 6 of the rules of procedure, the Secretary-General has prepared, in consultation with the Chairman of the Committee, the attached provisional agenda for the fourth session. Annotations to the provisional agenda are also attached.

3. Pursuant to rule 31 of the rules of procedure, the meetings of the Committee will be held in public unless the Committee decides otherwise, or it appears from the relevant provisions of the Convention that the meetings should be held in private.

4. The attention of the States parties is drawn, in particular, to the annotations to item 7, which contain the tentative timetable for the consideration of reports at the fourth session. In accordance with rule 66 of the rules of procedure, representatives of States parties are invited to attend the meetings of the Committee at which their reports are examined.

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PROVISIONAL AGENDA

1. Opening of the session by the representative of the Secretary-General

2. Solemn declaration by the newly elected members of the Committee

3. Election of the officers of the Committee

4. Adoption of the agenda

5. Organizational and other matters

6. Submission of reports by States parties under article 19 of the Convention

7. Consideration of reports submitted by States parties under article 19 of the Convention

8. Action by the General Assembly at its forty-fourth session:

   (a) Annual report submitted by the Committee against Torture under article 24 of the Convention

   (b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

   (c) Consideration of consolidated guidelines for the initial part of the reports of States parties under international human rights instruments

9. Adoption of the annual report of the Committee on its activities

ANNOTATIONS

1. Opening of the session by the representative of the Secretary-General

The fourth session of the Committee will be opened by the representative of the Secretary-General, who will preside over the meeting until the election of the Chairman of the Committee.

2. Solemn declaration by the newly elected members of the Committee

In accordance with rule 14 of the rules of procedure (CAT/C/3/Rev.1) the five members of the Committee re-elected at the Second Meeting of the States parties to the Convention on 28 November 1989 will make the following solemn declaration:

> "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee against Torture honourably, faithfully, impartially and conscientiously."

3. Election of the officers of the Committee

In accordance with article 18, paragraph 1, of the Convention, and rules 15 and 16 of the rules of procedure, the Committee shall elect from among its members a Chairman, three Vice-Chairmen and a Rapporteur. The officers of the Committee shall be elected for a term of two years.

4. Adoption of the agenda

Under rule 8 of the rules of procedure, the adoption of the agenda of any session shall follow the election of officers when required under rule 15. In accordance with rule 9, during a session the Committee may revise the agenda and may, as appropriate, defer or delete items; only urgent and important items may be added to the agenda.

5. Organizational and other matters

Under this item, the Committee may wish to consider its programme of work for the session as well as any other matter concerning the modalities of discharging its functions under the Convention, including co-ordination of its activities with the Special Rapporteur of the Commission on Human Rights on questions relating to torture, the United Nations Voluntary Fund for Victims of Torture and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

6. Submission of reports by States parties under article 19 of the Convention

Initial reports under article 19 of the Convention were due in 1988 from the 27 States parties listed in document CAT/C/5. In accordance with rule 65 of its rules of procedure, the Committee at its second and third sessions decided to request the Secretary-General to transmit to the States parties whose initial reports were due in 1988, but had not yet been received, appropriate reminders concerning the submission of their reports. By notes verbales dated 25 May 1989 and 21 December 1989, the Secretary-General requested the States parties which had not yet submitted their initial reports in 1988 to do so as soon as possible for transmission to the Committee.

Under rule 65 of the rules of procedure, the Secretary-General is required to notify the Committee at each session of all cases of non-submission of reports. Accordingly, the list of nine States parties whose initial reports were due in 1988, but had not been received as at 1 March 1990, is given below:

State party	Date on which the initial report was due
Afghanistan	25 June 1988
Belize	25 June 1988
Bulgaria	25 June 1988
Luxembourg	28 October 1988
Panama	22 September 1988
Spain	19 November 1988
Togo	17 December 1988
Uganda	25 June 1988
Uruguay	25 June 1988

Furthermore, initial reports under article 19 of the Convention were due in 1989 from the 10 States parties listed in document CAT/C/7. Pursuant to a decision of the Committee at its third session, the Secretary-General, by a note verbale dated 21 December 1989, requested the State party whose initial report was overdue by more than six months to submit its report as soon as possible for transmission to the Committee. The list of the five States whose initial reports were due in 1989, but had not been received as at 1 March 1990, is given below:

State party	Date on which the initial report was due
Ecuador	28 April 1989
Greece	4 November 1989
Guyana	17 June 1989
Peru	5 August 1989
Turkey	31 August 1989

The 11 States parties whose initial reports under article 19 of the Convention are due in 1990 are listed in document CAT/C/9.

7. Consideration of reports submitted by States parties under article 19 of the Convention

A tentative timetable for the consideration of reports at the fourth session, prepared by the Secretary-General in consultation with the Chairman and subject to approval by the Committee, is given below:

Tuesday, 24 April 1990
Senegal (CAT/C/5/Add.19)

Wednesday, 25 April 1990
Tunisia (CAT/C/7/Add.3)

Thursday, 26 April 1990
Czechoslovakia (CAT/C/7/Add.4)

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Friday, 27 April 1990
China (CAT/C/7/Add.5)

Monday, 30 April 1990
Ukrainian SSR (CAT/C/5/Add.20)

In accordance with rule 66 of the rules of procedure, the Secretary-General has informed the States parties concerned of the tentative dates on which their respective reports are scheduled for consideration by the Committee at its fourth session and has invited them to designate representatives to attend the meetings of the Committee at which their reports are examined.

General guidelines regarding the form and contents of initial reports to be submitted by States parties under article 19 of the Convention, which were adopted by the Committee at its third session, are reproduced in document CAT/C/4/Rev.1. The texts of reservations, declarations, etc., made by States parties with respect to the Convention are contained in document CAT/C/2 and Add.1-2.

8. Action by the General Assembly at its forty-fourth session

This item is included in the provisional agenda of the Committee, following the established practice of other human rights treaty bodies, with a view to enabling the Committee to consider the follow-up action given to its activities, and to other matters of interest by the General Assembly and other United Nations organs on the basis of annual reports submitted under article 24 of the Convention.

(a) Annual report submitted by the Committee against Torture under article 24 of the Convention */

The Committee will have before it the summary records of the Third Committee of the General Assembly pertaining to the discussion of the annual report (A/C.3/44/SR.36-43, 50 and 52) as well as General Assembly resolution 44/144 of 15 December 1989 on the status of the Convention.

(b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The Committee will have before it the following documents:

(i) Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (A/44/539);

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*/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 46 (A/46/46).

(ii) The study of an independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations human rights instruments (A/44/668);

(iii) Report of the Secretary-General on the effective functioning of bodies established pursuant to United Nations human rights instruments (E/CN.4/1990/39).

The Committee will also have before it General Assembly resolution 44/135 of 15 December 1989 and the relevant resolutions adopted by the Commission on Human Rights at its forty-sixth session.

(c) Consideration of consolidated guidelines for the initial part of the reports of States parties under international human rights instruments

At its third session, the Committee decided to consider at its fourth session the draft consolidated guidelines for the initial part of the reports of States parties under international human rights instruments (A/44/539, annex), on the basis of suggestions to be made by the Secretary-General to incorporate in the draft consolidated guidelines issues contained in part I of the Committee's general guidelines relating to the submission of initial reports by States parties (CAT/C/4/Rev.1). Accordingly, the Committee will have before it at its fourth session the suggestions submitted by the Secretary-General in document CAT/C/L.5.

9. Adoption of the annual report of the Committee on its activities

In accordance with article 24 of the Convention, the Committee shall submit an annual report on its activities to the States parties and to the General Assembly.

At its second session, the Committee decided to adopt its annual report at the end of its spring session for appropriate transmission to the General Assembly during the same calendar year. Accordingly, the annual report to be submitted to the General Assembly at its forty-fifth session will include the activities of the Committee at its third and fourth sessions.

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